

SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423

## ENVIRONMENTAL ASSESSMENT

AB-577X

**Mohall Railroad, Inc. - - Abandonment Exemption - - Portions of a Line of Railroad in  
Bottineau, Renville, Ward and McHenry Counties, North Dakota**

### **BACKGROUND**

In this proceeding, Mohall Railroad, Inc. (MRI) has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of a portion of a line of railroad known as the Mohall Line, extending 29.75 miles through Bottineau, Renville, Ward and McHenry Counties, North Dakota. The rail line segment proposed for abandonment begins at mile post 5.25, about five miles north of Granville, North Dakota, and ends at mile post 35.0 at Lansford, North Dakota. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

### **DESCRIPTION OF THE LINE**

The portion of the rail line proposed for abandonment is located primarily in an agricultural area. The line passes through the three small towns of Glenburn, Wolseth and Deering, North Dakota, with populations of 927, 0 and 99 respectively, and the area surrounding the line is mainly prairie land, with an emphasis on wheat farming. No state or county roads or significant waterways parallel the line.

The entire Mohall Line is almost 50 miles long, but has active rail shippers only north of the portion of the line proposed for abandonment, at Lansford and Mohall, North Dakota. The one active grain elevator on the portion of the line proposed for abandonment, at Glenburn, is no longer used as a rail shipping point.

The prior owner of the Mohall Line, Burlington Northern and Santa Fe Railway Company (BNSF), had placed an embargo on the line in July, 1999, due to difficulties in maintaining the track conditions of the entire line. After acquiring the Mohall Line from BNSF, MRI relocated and reconstructed a connection between the line and the Northern Plains Railroad (NPR) at Lansford, and contracted with NPR to provide rail service between Lansford and Mohall. MRI began operations on the Mohall Line in June, 2000. The connection now serves all active shippers on the Mohall Line and, as stated by MRI in its application, eliminates the need for the portion of the line proposed for abandonment.

## **ENVIRONMENTAL REVIEW**

The railroad has submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. The railroad has served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated and reviewed the record in this proceeding.

### **Transportation**

MRI states that the traffic formerly carried by the portion of the line proposed for abandonment is now carried by NPR. MRI predicts that the connection with NPR will increase rail traffic in the region. Before imposing the embargo, BNSF handled 45 carloads on the line, during the first six months of 1999. After MRI began operating over the NPR connection in June, 2000, 123 carloads have been moved over the new route. Additionally, the traffic diverted to truck by BNSF's embargo has reverted back to rail.

### **Land Use**

Comments have been received from the United States Department of Agriculture stating the proposed abandonment would have no impact on prime farmlands or wetlands on adjacent agricultural lands.

The Upper Souris National Wildlife Refuge and the J. Clark Salyer National Wildlife Refuge are located nearby, although the portion of the line proposed for abandonment does not pass through either refuge.

### **Biological Resources**

Comments have been received from the U.S. Fish and Wildlife Service (FWS) stating that the proposed abandonment would not have a significant impact on fish and wildlife resources or National Wildlife Refuge System lands. FWS also indicated that the proposed abandonment would not affect any endangered or threatened species.

### **Water**

Comments have been received from the North Dakota Department of Health, Environmental Health Section, (EHS) stating that the proposed abandonment might have minor effects on state water sources that can be controlled by proper construction methods. Such construction methods include "minimal disturbance of banks and stream beds to prevent excess siltation, and the replacement and revegetation of the disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site.

If the project will disturb more than five acres of soil, a stormwater permit may need to be obtained before construction begins.”

### **Historic Properties**

Comments have been received from the State Historical Society of North Dakota stating that the proposed abandonment would not affect any historic properties.

### **National Geodetic Survey**

Comments have been received from the National Geodetic Survey (NGS) stating that the proposed abandonment could potentially affect 19 geodetic station markers. NGS indicates that it must receive at least 90 days notice before any activities that disturb or destroy the markers take place.

### **CONDITIONS**

Based on the comments we have received to date, we recommend the following conditions.

- 1. The North Dakota Department of Health, Environmental Health Section, (EHS) has indicated that the proposed abandonment might have minor effects on state water sources, and that these adverse effects can be controlled by proper construction methods. Such construction methods include “minimal disturbance of banks and stream beds to prevent excess siltation, and the replacement and revegetation of the disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. If the project will disturb more than five acres of soil, a stormwater permit may need to be obtained before construction begins.” Therefore, we recommend that the railroad consult with EHS prior to undertaking construction activities that will adversely affect state water sources to develop proper construction methods.**
- 2. The National Geodetic Survey (NGS) has indicated that the proposed abandonment could potentially affect 19 geodetic station markers. Therefore, we recommend that if abandonment activities will disturb or destroy these station markers the railroad shall notify NGS in not less than ninety days prior to commencement of such operations.**

### **CONCLUSIONS**

Based on the information provided from all sources to date, we conclude that, as currently proposed, and if the recommended conditions are imposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental

impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

### **PUBLIC USE**

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

### **TRAILS USE**

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

### **PUBLIC ASSISTANCE**

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

### **COMMENTS**

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Rini Ghosh, who prepared this environmental assessment. **Please refer to Docket No. AB-577X in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Rini Ghosh at (202) 565-1539.

Date made available to the public: **February 16, 2001.**

**Comment due date: March 16, 2001. (30 Days)**

By the Board, Elaine K. Kaiser, Chief, Section of Environmental Analysis.

Vernon A. Williams  
Secretary

Attachment

MAP NEEDS TO BE SCANNED.